United Nations A/62/919

General Assembly

Distr.: General
1 August 2008

Original: English

Sixty-second session
Agenda item 14
Prevention of armed conflict

Letter dated 30 July 2008 from the Permanent Representative of Thailand to the United Nations addressed to the President of the General Assembly

With reference to the letter dated 19 July 2008 from the Permanent Representative of Cambodia to the United Nations addressed to you concerning Thai-Cambodian relations (A/62/917), under agenda item 14, I have the honour to inform you that the issue between Thailand and Cambodia under reference has subsequently been handled by a bilateral process and culminated in the agreement reached by the meeting of the Ministers for Foreign Affairs of the two countries on 28 July 2008 in Siem Reap Province of Cambodia, the positive account of which appears in my letter to the President of the Security Council dated 28 July 2008 (S/2008/494) and the related reference material (see enclosures).

I would be grateful if you could circulate the present letter and its enclosures as a document of the General Assembly.

(*Signed*) Don **Pramudwinai**
Ambassador and Permanent Representative of the Kingdom of Thailand
to the United Nations

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Enclosure 1

With reference to my letter to you dated 22 July 2008 (S/2008/478) providing further accounts of fact regarding Thailand-Cambodia relations, and the subsequent letter of the Permanent Representative of the Kingdom of Cambodia to you dated 24 July 2008 on the matter (RC/MP/139/08), I have the honour to inform you as follows:

1. In the spirit of friendship and goodwill between the two neighbouring countries and fellow members of the family of the Association of Southeast Asian Nations (ASEAN), the Prime Minister of Thailand made a telephone call to the Prime Minister of Cambodia on 24 July 2008. The two leaders had a very friendly and cordial telephone conversation about the issue pertaining to the relations between our two countries. Both leaders agreed to continue our bilateral consultations to seek a just and peaceful solution to the current challenge.

2. The agreed bilateral consultations between the two Ministers for Foreign Affairs will take place on 28 July 2008 in Siem Reap Province of Cambodia. This scheduled second bilateral meeting — the second high-level meeting between the two countries within a week's time — clearly reflects the continued willingness of both sides to resort to amicable resolution through appropriate bilateral channels, as in all the efforts and successes we had in the past. Thailand is confident that this meeting on 28 July 2008 will carry forward the momentum of the bilateral process started by the first bilateral meeting under the framework of the General Border Committee in Sa Kaeo Province of Thailand on 21 July 2008 — the process which has found clear expression of support from both ASEAN and the international community.

3. It is within this context that Thailand welcomes the fact that, on 24 July 2008, the Security Council decided to postpone consideration of the request by Cambodia for an urgent meeting, which effectively sent a clear message of support for Thailand and Cambodia to continue with the bilateral process of consultations that has just started and is gaining momentum.

4. You may rest assured that Thailand will continue to engage in good faith to ensure a fruitful discussion in the scheduled bilateral ministerial meeting on 28 July 2008. The will and the way to resolve this current challenge are now clear, and the support received from ASEAN for this course of action is strong and consistent. Thailand will spare no effort to ensure that this challenge is resolved to the benefit of both countries and all members of the ASEAN family. Both the spirit of good-neighbourliness, which underpins the long-standing relations between our two countries, and the spirit of ASEAN solidarity, which has been collectively nurtured by countries in South-East Asia over the past 40 years, demand no less.

(*Signed*) Don **Pramudwinai**
Ambassador
Permanent Representative of the Kingdom of Thailand
to the United Nations

Enclosure 2

With reference to my Letters to you dated 22 July 2008 (S/2008/478) and 25 July 2008 (S/2008/490) regarding Thailand-Cambodia relations, I wish to take this opportunity to inform you about the latest progress in the bilateral consultative process between the two countries.

1. Pursuant to the bilateral discussions that took place between Thailand and Cambodia under the framework of the General Border Committee in Sa Kaeo Province of Thailand on 21 July 2008, and the telephone conversation between the Prime Minister of Thailand and the Prime Minister of Cambodia on 24 July 2008, the Ministers for Foreign Affairs of Thailand and Cambodia met in Siem Reap Province of Cambodia on 28 July 2008. The two Ministers had a cordial and frank discussion on issues of common concern in the spirit of good-neighbourliness and the spirit of ASEAN solidarity. At the end of the meeting, both sides agreed to recommend the following to their respective Governments:

- Both countries should exercise the utmost restraint so that the current problem will be settled through peaceful means, using existing bilateral mechanisms, including the Foreign Ministers' meeting and the Thailand-Cambodia Joint Commission on Demarcation for Land Boundary, which was set up by the 2000 Memorandum of Understanding on the Survey and Demarcation of Land Boundary.
- Both sides agreed to undertake the following provisional arrangement pending survey and demarcation by the Joint Boundary Commission:
  (1) Demining of the area to be surveyed and demarcated by the Joint Boundary Commission in a concerted manner;
  (2) Setting up of a Temporary Coordinating Task Force comprising the relevant agencies from both sides to address problems related to the area, including the Pagoda;
  (3) Redeploying both sides' respective troops out of the "Keo Sikha Kiri Svara" Pagoda, the area surrounding the Pagoda, and the Temple of Preah Vihear.
- This arrangement shall be without prejudice to the rights of both sides regarding the survey and demarcation within the framework of the Joint Boundary Commission and their legal positions.
- Both sides agreed to discuss other matters not yet agreed upon during this meeting at the next Foreign Ministers' meeting.

2. The outcome of the said Foreign Ministers' meeting firmly underlines the common will and determination of both Thailand and Cambodia, neighbours for life and members of the ASEAN family, to move ahead within the framework of the bilateral consultative process with a view to arriving at a mutually satisfactory conclusion for the benefit of our two countries and peoples.

(*Signed*) Don **Pramudwinai**
Ambassador
Permanent Representative of the Kingdom of Thailand
to the United Nations

Enclosure 3

With reference to my letter to you dated 21 July 2008 (S/2008/474) providing accounts of fact regarding Thailand-Cambodia relations, and the subsequent letter of the Permanent Representative of the Kingdom of Cambodia to you dated 21 July 2008 requesting an urgent meeting of the Security Council on the matter (S/2008/475), I have the honour to inform you of the following:

1. The Kingdom of Thailand once again reiterates her position of attaching great importance to cordial relations with the Kingdom of Cambodia, which is her close neighbour and family member of the Association of Southeast Asian Nations (ASEAN). Thailand is convinced that, through friendly bilateral consultations and negotiations, the current challenge, like every other past challenge, can be resolved amicably on the basis of the friendship, goodwill and sincere cooperation that have long existed between our two Governments and peoples. With this in mind, Thailand has exercised utmost restraint and has been taking effective measures to ensure that the issue is resolved amicably between the two brotherly countries.

2. The process of bilateral consultations has just started. The first step began on 21 July 2008 in Sa Kaeo Province of Thailand under the General Border Committee, headed by high-level representatives from both countries. The meeting has resulted in easing the tension, and both sides agreed to continue this process of bilateral consultations and further talks would be held. Among the issues discussed and preliminarily agreed to by negotiators during the said General Border Committee meeting and being considered by both Governments are:

2.1 Redeployment of both sides' respective military personnel from the Temple of Preah Vihear and the area surrounding the Keo Sikha Kiri Svara Pagoda as soon as possible;

2.2 Joint demining in the area to be surveyed and demarcated by the Joint Boundary Commission for survey and demarcation work of the Commission;

2.3 Confirmation by the Cambodian side that it will develop a new site for the Cambodian community currently living in the area so as to facilitate the survey and demarcation in the area by the Joint Boundary Commission;

2.4 Setting up of a Temporary Coordinating Task Force comprising respective agencies concerned of both sides to address any problems related to the area.

All attention should be called to the fact that the Prime Ministers of the two countries have also expressed their conviction to resolve the issue through friendly bilateral consultations and have also called for an early meeting of the Joint Boundary Commission, which is a joint mechanism established by both countries. As in every other case around the world, consultations and negotiations are a process, not an event, and they require good faith, perseverance and patience by the parties concerned. Thailand is committed to ensuring the success of this process.

3. The aforementioned bilateral process has continued to receive clear and unanimous support from ASEAN, of which both Thailand and Cambodia are members. In a statement by the ASEAN Chair dated 20 July 2008, ASEAN Foreign Ministers expressed their hope in the bilateral talks between the two countries, and offered facilities to be placed at the disposal of the two countries concerned. In a

statement dated 22 July 2008, the Minister for Foreign Affairs of Singapore, who is currently the Chair of the ASEAN Standing Committee, following his consultations with ASEAN Foreign Ministers, said "Both Cambodia and Thailand reiterated that they were committed to a peaceful resolution of the issue and assured me that the General Border Committee would continue to meet, and that the next meeting would be held in the near future." He also said, "there was also a general view that the bilateral process should be allowed to continue" and "the ASEAN Foreign Ministers remain seized of the issue, and I have requested Cambodia and Thailand to provide an update at the next Informal ASEAN Ministerial Meeting in New York". The informal ministerial meeting is scheduled to be held in September 2008. A copy of the said statement is included herewith as attachment I.

4. Attention should also be drawn to the letter dated 22 July 2008 from the Minister for Foreign Affairs of Singapore, in his capacity as ASEAN Chair, addressed to the Minister for Foreign Affairs of Cambodia and copied to all ASEAN Foreign Ministers and the ASEAN Secretary-General, conveying the message referred to in the paragraph above. The letter also stipulates: "I assure you that the ASEAN Foreign Ministers are fully mindful that how this issue is handled will greatly affect ASEAN's credibility. They also emphasized to me that if the parties concerned are too quick to resort to the United Nations Security Council, this would do harm to ASEAN's standing and may actually make the resolution of the issue more difficult." A copy of the letter is included herewith as attachment II.

5. Despite the commencement of the bilateral process and a clear expression of the wish and desire of all parties concerned that this process should be allowed to continue, Thailand could not help being perplexed by the letter from the Permanent Representative of Cambodia dated 21 July 2008 requesting an urgent meeting of the Security Council on this matter. The said letter came hours after the ASEAN Chair statement dated 20 July 2008 and the first meeting of the General Border Committee on 21 July 2008. One can only wonder why Cambodia has resorted to this course of action with such a great haste.

6. In conclusion, Thailand reiterates her firm conviction that the present challenge shall and can be resolved amicably through friendly bilateral consultations and negotiations within the relevant bilateral frameworks established by both countries, and on the basis of goodwill, good faith, the principle of good-neighbourliness, long-lasting friendship between the two countries and the spirit of ASEAN solidarity that has underpinned that regional organization since its inception.

(*Signed*) Don **Pramudwinai**
Ambassador
Permanent Representative of the Kingdom of Thailand
to the United Nations

Attachment I

Statement by the Minister for Foreign Affairs of Singapore

22 July 2008

I held informal discussions on 22 July 2008 with ASEAN Foreign Ministers to discuss the latest developments in the Preah Vihear issue. Both Cambodia and Thailand reiterated that they were committed to a peaceful resolution of the issue and assured me that the General Border Committee would continue to meet, and that the next meeting would be held in the near future.

The ASEAN Foreign Ministers had earlier offered ASEAN's facilities at the disposal of Cambodia and Thailand as they recognized the importance of maintaining peace and stability in the region. There was a proposal for an ASEAN Contact Group to help support the efforts of Thailand and Cambodia to find a peaceful resolution to the issue. The proposal found favour with a number of Foreign Ministers, but there was also a general view that the bilateral process should be allowed to continue, and there is still no consensus for the formation of such a group.

The ASEAN Foreign Ministers remain seized of the issue, and I have requested Cambodia and Thailand to provide an update at the next Informal ASEAN Ministerial Meeting in New York.

Thailand and Cambodia gave the assurance that they would exercise utmost restraint and resolve the issue amicably in the spirit of ASEAN solidarity and good-neighbourliness. Both sides also reiterated that they would handle the situation in accordance with their ASEAN and international obligations.

Attachment II

1. I refer to your letter dated 21 July 2008 informing me of the situation between Thailand and Cambodia, and seeking Singapore's assistance as ASEAN Chair to form an ASEAN Contact Group to find a peaceful resolution to the matter.

2. The ASEAN Foreign Ministers were briefed by both Cambodia and Thailand over dinner on 20 July 2008, during which both sides were urged to exercise utmost restraint and resolve the matter amicably in the spirit of ASEAN solidarity and good-neighbourliness. Recognizing the importance of maintaining peace and stability in the region, the ASEAN Foreign Ministers offered ASEAN's facilities at the disposal of Cambodia and Thailand, in the event that they felt the need for further support to find an early resolution to the issue.

3. I undertook informal consultations with the ASEAN Foreign Ministers and representatives today. Both Cambodia and Thailand reiterated that they were committed to a peaceful resolution of the issue and assured me that the General Border Committee would continue to meet, and that the next meeting would be held in the near future.

4. The proposal for an ASEAN Contact Group found favour with a number of Foreign Ministers, but there was also a general view that the bilateral process should be allowed to continue, and there is still no consensus for the formation of such a group. As the ASEAN Foreign Ministers continue to be seized of the issue, I requested Cambodia and Thailand to provide an update at the next Informal ASEAN Ministerial Meeting in New York.

5. I assure you that the ASEAN Foreign Ministers are fully mindful that how this issue is handled will greatly affect ASEAN's credibility. They also emphasized to me that if the parties concerned are too quick to resort to the United Nations Security Council, this would do harm to ASEAN's standing and may actually make the resolution of the issue more difficult.

(*Signed*) George **Yeo**